

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

REGINALD ALLEN SCHWAB

CRIMINAL COMPLAINT

Case Number:

MJ 10-487 (FLN)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 16, 2010, in Hennepin County, in the State and District of Minnesota, the defendant(s),

Reginald Allen Schwab, having previously been convicted of multiple crimes punishable by imprisonment for a term exceeding one year, did possess a firearm in or affecting interstate or foreign commerce.

in violation of Title 18, United States Code, Section(s) 922(g)(1).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

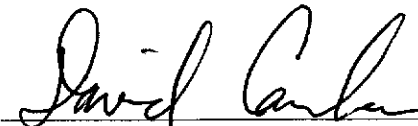
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

The Honorable Franklin L. Noel
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer



Signature of Complainant

David F. Carriker, Special Agent
ATF

Minneapolis, MN

City and State

Signature of Judicial Officer

SCANNED

NOV 19 2010

U.S. DISTRICT COURT MPLS

STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN) ss. AFFIDAVIT OF DAVID CARRIKER

I, David F. Carriker, being first duly sworn under oath, depose and state as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since August of 2005. I am currently assigned to the St. Paul Group IV Field Office, Minneapolis Weapons Unit, and work with various law enforcement agencies and drug task forces throughout the state of Minnesota. My duties and responsibilities include conducting criminal investigations of individuals and organizations who are alleged to have violated Federal laws, particularly those found in Titles 18, 21, and 26. I have participated in numerous investigations which have resulted in the arrests, searches, seizures, and convictions of individuals who have violated Federal law. I successfully completed the Criminal Investigations Training Program (CITP) and the Special Agent Basic Training (SABT) Program at the Federal Law Enforcement Training Center (FLETC).

2. This affidavit is submitted in support of a Complaint against REGINALD ALLEN SCHWAB ("Schwab"), charging him with possession of a firearm by a convicted felon in violation of Title 18, United States Code, Section 922(g)(1). The facts set forth in the Affidavit are based upon my review of reports, my personal investigation, and discussions I have had with other law enforcement personnel. Further, this affidavit contains information to support probable cause but is not intended to convey facts of the entire investigation.

3. On July 16, 2010, at approximately 10:30 pm, Minneapolis Police Department (MPD) Officers responded to a 911 call near the intersection of 27th Avenue North and Newton Avenue North in Minneapolis, upon report of a person with a gun. The caller stated that an

individual known as "Snake" had a gun and had shot at the caller. The caller described "Snake" as a light skinned black male, 40-50 years old, having long hair and wearing a blue jersey shirt. Officers arrived on scene and a witness told them the suspect, later identified as Schwab, ran into a house located at 2651 Newton Avenue North. Officer Loveland observed Schwab exiting the same house with his hands in the air and Schwab was wearing a blue Tennessee Titans # 10 jersey. Officer Loveland notified other Officers that Schwab was the suspect and Schwab was arrested and placed in a squad car.

4. At the scene, Officer Loveland spoke to the witnesses about what happened. Witness 1, a known 14 year old girl, said she and Witness 2, a known 14 year old girl, were walking down Newton Avenue North, when two women came out of the 2651 Newton Avenue North residence and began a verbal argument about a previous conflict with Witness 1. Witness 1 said she was afraid that the two women were going to attack her and sent Witness 2 to get help. Witness 2 returned with three friends, Witnesses 3, 4, and 5, ages 14, 15, and 15, respectively. After the other girls arrived, Witness 1 and the two women continued to argue as Schwab came out of the house armed with a handgun. Witness 2 told Officer Loveland that Schwab fired a shot in the air and then pointed the gun at her and threatened to shoot her. As Officer Loveland was speaking with Witness 2, Witness 2 identified Schwab as he exited 2651 Newton Avenue North. Witness 3 told Officer Loveland that Schwab displayed a small black handgun in his right hand, shot one round in the air, and yelled, "I am Crip and I will shoot all you bitches in the face."

5. Witness 5 reported that after Schwab shot the gun, Schwab ran back into the aforementioned residence. Witness 5 further told officers that she observed Schwab throw the gun into the yard prior to entering the residence. Subsequently, Witness 5 showed officers where

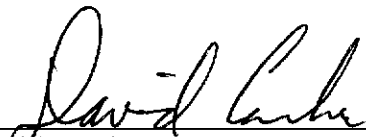
Schwab threw the gun. Officers Williams and Kramer searched the yard of 2651 Newton Avenue North and located a handgun lying in the grass next to a fence. The handgun was later identified to be a Raven Arms, Model MP-25, .25 caliber semi-automatic pistol having Serial Number: 709624. Officers searched in the intersection of 27th Avenue and Newton Avenue and located a discharged .25 caliber cartridge casing.

6. I reviewed Schwab's criminal history and determined that, prior to July 16, 2010, Schwab was a convicted felon and was prohibited from possessing firearms. Prior to July 16, 2010, Schwab had the following felony convictions: Felony 5th degree controlled substance (1996), Felony 1st degree manslaughter (1997), Felony attempted 2nd degree assault (2003), and Felony possession of a firearm (2004). Schwab was discharged from Minnesota Department of Corrections on or about October 7, 2009.

7. ATF Special Agent Liane Sellner reviewed reports given to her by me regarding the Raven Arms, Model MP-25, .25 caliber semi-automatic pistol having Serial Number: 709624, recovered during the above-described incident. Based on her training and experience, Agent Sellner determined that the pistol was manufactured in California. Therefore, at some point after manufacture, the pistol was shipped or transported into Minnesota through interstate commerce prior to July 16, 2010.

8. Based upon the facts conveyed in this affidavit, I have probable cause to believe that on July 16, 2010, REGINALD ALLEN SCHWAB committed the crime of being a felon in possession of a firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Further your Affiant sayeth not.



David Carriker
Special Agent

SUBSCRIBED and SWORN to before me
this 17th day of November, 2010.


United States Magistrate Judge